



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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Ref: 8 EPR-N

Mr. John W. Carlson
Acting District Ranger
Libby Ranger District
Kootenai National Forest
12557 Highway 37
Libby, Montana 59935

comments-northern-kootenai-libby@fs.fed.us

Re: Miller West Fisher Project
DSEIS CEQ # 20130367

Dear Mr. Carlson:

In accordance with our responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act (CAA), the U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the Kootenai National Forest's *Draft Supplemental Environmental Impact Statement for the Miller West Fisher Project* (Draft SEIS).

Background — The project area is located about 20 miles south of Libby, MT, and consists of several types of vegetation management and fuel treatments such as timber harvest, forest thinning and prescribed fire for a number of forest units in the Miller and West Fisher Creek areas. The project was initially authorized by the Forest Service in a 2009 decision. This Draft SEIS has been prepared in response to a 2010 court case to improve the project analysis regarding grizzly bears and helicopter logging. Forestry units (and portions of forestry units) that could only be logged by helicopter have not been included in the revised project. Where feasible, other forestry units that were to be logged using helicopters have been changed to utilize skyline techniques.

EPA's comments are generally unchanged since our July 14, 2009 letter regarding the Final EIS and Record of Decision. However, we do recommend reevaluating the best management practices (BMPs) and other riparian mitigation measures in the Final SEIS after the U.S. Fish and Wildlife Service (FWS) has completed the review of the revised biological assessment for bull trout and its habitat. As noted on page 11 of the document, the 2010 rule for bull trout changed critical habitat designations resulting in more streams in the proposed project area that are now considered critical habitat.

We recommend updating Appendix D – *Miller West Fisher Project Design Features* to reflect the 2013 Kootenai National Forest Revised Forest Plan and clarify references. For example, the Soil and Water BMPs refer to Appendix 7, which we assume refers to the old Forest Plan. We also recommend updating the project map on page 54 to be consistent with Appendix E.

The EPA's Rating

Based on our review, the EPA is rating the Draft SEIS Preferred Alternative as "Environmental Concerns – Insufficient Information" (EC-2). The "EC" rating means that the EPA's review has identified potential impacts that should be avoided in order to fully protect the environment. The "2" rating means that the Draft SEIS does not contain sufficient information for the EPA to fully assess environmental impacts. A description of the EPA's rating system can be found at: <http://www.epa.gov/compliance/nepa/comments/ratings.html>.

We appreciate the opportunity to comment on the Draft SEIS and hope our suggestions for improving it will assist you with preparation of the Final SEIS. We would be happy to meet to discuss these comments and our recommendations. If you have any questions or requests, please feel free to contact either me at 303-312-6704 or Dana Allen of my staff at 303-312-6870 or by email at allen.dana@epa.gov.

Sincerely,

for David Fronczyk

Philip Strobel, Acting Director
NEPA Compliance and Review Program
Office of Ecosystems Protection and Remediation